



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

van Gemen et al.

Serial No.: 10/006,009 -

Filed: December 4, 2001

For: TESTING ENDOSYMBIONT
CELLULAR ORGANELLES AND
COMPOUNDS IDENTIFIABLE
THEREWITH

Confirmation No.: 7686

Examiner: E. Whisenant

Group Art Unit: 1634

Attorney Docket No.: 2183-5189US

NOTICE OF EXPRESS MAILING

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Date of Deposit with USPS: September 30, 2003

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In compliance with the duty to disclose information material to patentability pursuant to 37 C.F.R. § 1.56, it is respectfully requested that this Supplemental Information Disclosure Statement be entered and the documents listed on attached Form PTO/SB/08A be considered by the Examiner and made of record. Copies of the listed documents are enclosed pursuant to 37 C.F.R. § 1.98(a).

10/08/2003 CCHAU1 00000082 10006009

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In accordance with 37 C.F.R. § 1.97(g) and (h), filing of this Supplemental Information Disclosure Statement is not to be construed as a representation that a search has been made or an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b). Further, no representation is made by Applicants herein that no other possible material information as defined in 37 C.F.R. § 1.56 (b) exists.

Foreign Patent Documents

<u>Document No.</u>	<u>Publication Date</u>	<u>Patentee</u>
WO 96/06191 A2	02/29/1996	Akzo Nobel N.V.
WO 97/39149A1	10/23/1997	Ramot University Authority for Applied Research and Industrial Development, Ltd.
WO 98/17826 A1	04/30/1998	Mitokor
WO 99/66075 A2	12/23/1999	Mitokor

Other Documents

ABBOTT, A.G., et al., "Quantitative variation in components of the maize mitochondrial genome between tissues and between plants with different male-sterile cytoplasms," 4 PLANT MOLECULAR BIOLOGY 233-240 (1985).

ANDERSON, C.M., et al., "Mitochondrial Electron Transport Complexes are Decreased in Skeletal Muscle in Type II Diabetes Mellitus," Abstracts from the 59th Session, page a259 (June 1999).

BOULTWOOD, J., et al., "Amplification of mitochondrial DNA in acute myeloid leukaemia," 95 BRITISH JOURNAL OF HAEMATOLOGY 426-431 (1996).

LEE, H.K., et al., "Decreased mitochondrial DNA content in peripheral blood precedes the development of non-insulin-dependent diabetes mellitus," 42 DIABETES RESEARCH AND CLINICAL PRACTICE 161-167 (1998).

SU, C., et al., "Selective reduction of creatine kinase subunit mRNAs in striated muscle of diabetic rats," 263 AMERICAN JOURNAL OF PHYSIOLOGY e310-e316 (1992).

Other Documents (cont.)

TEPPER, C.G., "Resistance of Mitochondrial DNA to Degradation Characterizes the Apoptotic but Not the Necrotic Mode of Human Leukemia Cell Death," 52 JOURNAL OF CELLULAR BIOCHEMISTRY 352-361 (1993).

Partial European Search Report, International Application No. EP 00 20 4322, dated October 31, 2001 (3 pages).

In compliance with the duty to disclose information material to patentability pursuant to 37 C.F.R. § 1.56 & 1.175, Applicants offer hereby identifies the following listed copending applications naming the same inventor(s):

Attorney Docket No.: 2183-4760US
Serial No.: 09/785,881
Filed: February 16, 2001
For: REDUCING BACKGROUND IN HYBRIDISATION REACTIONS

Attorney Docket No.: 2183-5426US
Serial No.: 10/192,786
Filed: July 10, 2002
For: A UNIVERSAL NUCLEIC ACID AMPLIFICATION SYSTEM FOR NUCLEIC ACIDS IN A SAMPLE

Applicants offer to supply any explanation or discussion of the documents which the Examiner feels is necessary or desirable and which is requested.

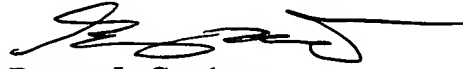
This Supplemental Information Disclosure Statement is filed after the mailing date of the first Office Action on the merits.

I hereby certify that each item of information contained in this Supplemental Information Disclosure Statement was first cited in any communication from a foreign patent office in a

Serial No. 10/006,009

counterpart foreign application not more than three months prior to the filing of the statement,
and therefore no fee is due.

Respectfully submitted,



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Date: September 30, 2003

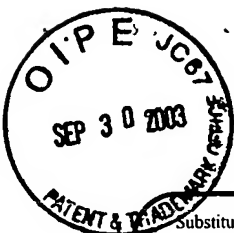
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Enclosures: Form PTO/SB/08A

Copy of documents cited

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PTO/SB/08A (10-01)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 2

Complete if Known

Application Number	10/006,009
Filing Date	December 4, 2001
First Named Inventor	van Gemen et al.
Group Art Unit	1634
Examiner Name	E. Whisenant
Attorney Docket Number	2183-5189US

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
		US-			
		US-			
		US-			
		US-			
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FOREIGN PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				
		WO 96/06191 A2	02/29/1996	Akzo Nobel N.V.		
		WO 97/39149A1	10/23/1997	Ramot University Authority for Applied Research and Industrial Development, Ltd.		
		WO 98/17826 A1	04/30/1998	Mitokor		
		WO 99/66075 A2	12/23/1999	Mitokor		

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¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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Sheet 2 of 2

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Application Number	10/006,009
Filing Date	December 4, 2001
First Named Inventor	van Gemen et al.
Group Art Unit	1634
Examiner Name	E. Whisenant
Attorney Docket Number	2183-51891JS

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		ABBOTT, A.G., et al., "Quantitative variation in components of the maize mitochondrial genome between tissues and between plants with different male-sterile cytoplasms," 4 PLANT MOLECULAR BIOLOGY 233-240 (1985).	
		ANDERSON, C.M., et al., "Mitochondrial Electron Transport Complexes are Decreased in Skeletal Muscle in Type II Diabetes Mellitus," Abstracts from the 59th Session, page a259 (June 1999).	
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		SU, C., et al., "Selective reduction of creatine kinase subunit mRNAs in striated muscle of diabetic rats," 263 AMERICAN JOURNAL OF PHYSIOLOGY e310-e316 (1992).	
		TEPPER, C.G., "Resistance of Mitochondrial DNA to Degradation Characterizes the Apoptotic but Not the Necrotic Mode of Human Leukemia Cell Death," 52 JOURNAL OF CELLULAR BIOCHEMISTRY 352-361 (1993).	
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